

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MICHAEL DURANDO,  
Plaintiff,

CIVIL ACTION

v.

THE TRUSTEES OF THE UNIVERSITY  
OF PENNSYLVANIA AND MARCELO  
KAZANIETZ,

NO. 21-756

Defendants.

**ORDER**

AND NOW, this 26th day of July, 2022, upon consideration of Defendant The Trustees of the University of Pennsylvania's Motion for Summary Judgment (ECF No. 30), Plaintiff's Response in Opposition (ECF No. 40), Defendant's Reply (ECF No. 42), and Plaintiff's Surreply (ECF No. 47), it is **HEREBY ORDERED THAT** Defendant's Motion is **GRANTED IN PART** and **DENIED IN PART**. It is **FURTHER ORDERED THAT**:

1. Defendant's Motion is **DENIED** as to Plaintiff's claims under the Pennsylvania Whistleblower Law, 43 Pa. Stat. Ann. § 1421, *et seq.* ("PWL");
2. Defendant's Motion is **DENIED** as to Plaintiff's claims under Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e, *et seq.* and the Pennsylvania Human Relations Act, 43 Pa. C.S.A. § 951, *et seq.*;
3. Defendant's Motion is **DENIED** as to Plaintiff's breach of contract claim based on a theory of violations of the Policy for Postdoctoral Fellows;
4. Defendant's Motion is **GRANTED** in all other respects.

**BY THE COURT:**

/s/Wendy Beetlestone, J.

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WENDY BEETLESTONE, J.